

TYPE OR PRINT
IN BLACK INK
(For instructions, see
booklet: "How to File an
Application to Appropriate
Water in California")



California Environmental Protection Agency

State Water Resources Control Board
Division of Water Rights
P.O. Box 2000, Sacramento, CA 95812-2000
Tel: (916) 341-5300 Fax: (916) 341-5400
www.waterrights.ca.gov

STATE WATER RESOURCES
CONTROL BOARD

2007 DEC 20 AM 11:32

APPLICATION NO. 31646

(leave blank)

APPLICATION TO APPROPRIATE WATER

DIVISION OF WATER RIGHTS
SACRAMENTO

SECTION A: NOTICE INFORMATION

1. APPLICANT/AGENT

a.

	APPLICANT	ASSIGNED AGENT (if any)
Name	Holman Ranch Holdings, LLC.	Aengus L. Jeffers, Esq.
Mailing Address	499 Van Buren Street	499 Van Buren Street
City, State & Zip	Monterey, CA 93940	Monterey, CA 93940
Telephone	831-373-4131	831-373-4131
Fax	831-373-8302	831-373-8302
E-mail	aengusj@horanlegal.com	aengusj@horanlegal.com

2. OWNERSHIP INFORMATION (Please check type of ownership.)

- ☐ Sole Owner ☒ Limited Liability Company (LLC) ☐ General Partnership*
☐ Limited Partnership* ☐ Business Trust ☐ Husband/Wife Co-Ownership
☐ Corporation ☐ Joint Venture ☐ Other _____

*Please provide a copy of your partnership agreement.

3. PROJECT DESCRIPTION (Provide a detailed description of your project, including, but not limited to, type of construction activity, area to be graded or excavated, and how the water will be used.)

This Application seeks an appropriative water permit to serve the Holman Ranch and its existing domestic, equestrian, vineyard and special event uses (weddings, overnight guests, community events, and business meetings).

☒ For continuation, see Attachment No. 1

4. PURPOSE OF USE, DIVERSION/STORAGE AMOUNT AND SEASON

a. PURPOSE OF USE (irrigation, domestic, etc.)	DIRECT DIVERSION				STORAGE		
	AMOUNT		SEASON OF DIVERSION		AMOUNT	SEASON OF COLLECTION	
	Rate (cfs or gpd)*	Acre-feet per year	Beginning date (month & day)	Ending date (month & day)	Acre-feet per year	Beginning date (month & day)	Ending date (month & day)
Domestic	.0066	4.8	1/1	12/31			
Irrigation	.0429	18.2	4/1	11/1	**6.3	10/16	4/14
Stockwatering	.0036	2.6	1/1	12/31			
Industrial	.0003	0.2	1/1	12/31			

Frost Protection

**Storage amount reflects both irrigation and frost protection

b. Total combined amount taken by direct diversion and storage during any one year will be 32.1 acre-feet.

c. Reservoir storage is: ☐ onstream ☒ offstream ☐ underground (If underground storage, attach Form APP-UGSTOR.)

d. County in which diversion is located: Monterey County in which water will be used: Monterey

e. Assessor's Parcel Number(s): 187-481-001; 187-011-003; 187-011-004; 189-541-003

5. SOURCES AND POINTS OF DIVERSION/REDIVERSION

a. Sources and Points of Diversion (POD)/Points of Rediversion (POR):

- ☒ POD / ☐ POR # 1 : Carmel River Alluvial Aquifer tributary to _____
thence _____
☐ POD / ☐ POR # _____ tributary to _____
thence _____
☐ POD / ☐ POR # _____ tributary to _____
thence _____
☐ POD / ☐ POR # _____ tributary to _____
thence _____

☐ See Attachment No. _____

b. State Planar and Public Land Survey Coordinate Description:

POD/ PORD #	CALIFORNIA COORDINATES (NAD 27)	ZONE	POINT IS WITHIN (40-acre subdivision)	SECTION	TOWN- SHIP	RANGE	BASE AND MERIDIAN
1	N. 427, 127+/- E. 1, 199, 432+/-	A	SW ¼ of SW ¼	2	17 South	2 East	Mount Diablo
			¼ of ¼				
			¼ of ¼				
			¼ of ¼				

☐ See Attachment No. _____

- c. Name of the post office most often used by those living near the proposed point(s) of diversion:
Carmel Valley Post Office (11 Via Contenta, Carmel Valley, CA 93924-9998)

6. WATER AVAILABILITY

- a. Have you attached a water availability analysis for this project? ☐ YES ☒ NO

If NO, provide sufficient information to demonstrate that there is reasonable likelihood that unappropriated water is available for the proposed appropriation:

This application complies with order #4 of the SWRCB's Order WRO 2003-014 requiring additions to Decision 1632's Table 13 list of priority water allocations.

☒ See Attachment No. 1

- b. Is your project located on a stream system declared to be fully appropriated by the State Water Resources Control Board during your proposed season of diversion? ☒ YES ☐ NO
- c. In an average year, does the stream dry up at any point downstream of your project? ☐ YES ☒ NO If YES, during which months? ☐ Jan ☐ Feb ☐ Mar ☐ Apr ☐ May ☐ Jun ☐ Jul ☐ Aug ☐ Sep ☐ Oct ☐ Nov ☐ Dec
- d. What alternate sources of water are available if a portion of your requested diversion season must be excluded because water is not available for appropriation? (e.g., percolating groundwater, purchased water, etc.)

Percolating groundwater

☐ See Attachment No. _____

7. PLACE OF USE

USE IS WITHIN (40-acre subdivision)	SECTION*	TOWNSHIP	RANGE	BASE & MERIDIAN	IF IRRIGATED	
					Acres	Presently cultivated?
¼ of ¼						<input type="checkbox"/> YES <input type="checkbox"/> NO
¼ of ¼						<input type="checkbox"/> YES <input type="checkbox"/> NO
¼ of ¼						<input type="checkbox"/> YES <input type="checkbox"/> NO
¼ of ¼						<input type="checkbox"/> YES <input type="checkbox"/> NO
¼ of ¼						<input type="checkbox"/> YES <input type="checkbox"/> NO
¼ of ¼						<input type="checkbox"/> YES <input type="checkbox"/> NO
¼ of ¼						<input type="checkbox"/> YES <input type="checkbox"/> NO
¼ of ¼						<input type="checkbox"/> YES <input type="checkbox"/> NO
Total:						

*Please indicate if section is projected with a "(P)" following the section number.

☒ See Attachment No. 2

8. PROJECT SCHEDULE

- a. Project is:

☐ proposed. Year construction will begin: _____

☐ partially complete. Extent of completion: _____

☒ complete. Year completed: Late 1920's

- b. Year of first use: Late 1920's Year water will be used to the full extent intended: Existing water use

SECTION B: MISCELLANEOUS DIVERSION INFORMATION

1. JUSTIFICATION OF AMOUNTS REQUESTED

a. ☒ **IRRIGATION:** Maximum area to be irrigated in any one year: 33.1 acres.

CROP	ACRES	METHOD OF IRRIGATION (sprinklers, flooding, etc.)	WATER USE (Acre-feet/Yr.)	SEASON OF WATER USE	
				Beginning date (month & day)	Ending date (month & day)
Vines	28	Drip	19.6 AFA	4/1	11/1
Pastures	4.6	Sprinklers	3.2 AFA	6/1	11/1
Landscaping	0.5	Sprinklers	0.9 AFA	4/1	11/1
TOTAL			23.7 AFA		

☐ See Attachment No. ____ Note: Section A.4.a reports net irrigation demand of 24.5 AFA which includes .8 AFA for Frost Protection.

b. ☒ **DOMESTIC:** Number of residences to be served: 15 Separately owned? ☐ YES ☒ NO
 Number of people to be served: 30 Estimated daily use per person is: 75 gallons per day
 Area of domestic lawns and gardens: 20,000 square feet
 Incidental domestic uses: Trail Horses (.25 AFA), Pool (0.1 AFA), Special Events (1.0 AFA)
 (dust control area, number and kind of domestic animals, etc.)

c. ☒ **STOCKWATERING:** Kind of stock: Show Horses Maximum number: 80
 Describe type of operation: Boarding of Show Horses
 (feedlot, dairy, range, etc.)

d. ☐ **RECREATIONAL:** Type of recreation: ☐ Fishing ☐ Swimming ☐ Boating ☐ Other _____

e. ☐ **MUNICIPAL:**

POPULATION		MAXIMUM MONTH		ANNUAL USE		
List for 5-year periods until use is completed						
Period	Population	Average daily use (gallons per capita)	Rate of diversion (cfs)	Average daily use (gallons per capita)	Acre-foot (per capita)	Total (acre-feet)
Present						

☐ See Attachment No. ____

Month of maximum use during year: _____ Month of minimum use during year: _____

f. ☐ **HEAT CONTROL:** Area to be heat controlled: _____ net acres
 Type of crops protected: _____
 Rate at which water is applied to use: _____ gpm per acre
 Heat protection season will begin _____ and end _____
 (month & day) (month & day)

g. ☒ **FROST PROTECTION:** Area to be frost protected: 28 net acres
 Type of crops protected: Vines
 Rate at which water is applied to use: 50 gpm per acre
 The frost protection season will begin 4/1 and end 4/30
 (month & day) (month & day)

h. ☒ **INDUSTRIAL:** Type of industry: Wine Processing
 Basis for determination of amount of water needed: Industry Averages

i. ☐ **MINING:** Name of the claim: _____ ☐ Patented ☐ Unpatented
 Nature of the mine: _____ Mineral(s) to be mined: _____
 Type of milling or processing: _____
 After use, the water will be discharged into _____ (watercourse)
 in _____ % of _____ % of Section _____, T _____, R _____, B. & M.

j. ☐ **POWER:** Total head to be utilized: _____ feet
 Maximum flow through the penstock: _____ cfs
 Maximum theoretical horsepower capable of being generated by the works (cfs x fall + 8.8): _____
 Electrical capacity (hp x 0.746 x efficiency): _____ kilowatts at: _____ % efficiency
 After use, the water will be discharged into _____ (watercourse)
 in _____ % of _____ % of Section _____, T _____, R _____, B. & M. FERC No.: _____

k. ☐ **FISH AND WILDLIFE PRESERVATION AND/OR ENHANCEMENT:** List specific species and habitat type that will be preserved or enhanced in Item 7a of Section C.

l. ☐ **OTHER:** Describe use: _____
 Basis for determination of amount of water needed: _____

2. DIVERSION AND DISTRIBUTION METHOD

- a. Diversion will be by gravity by means of: N/A
(dam, pipe in unobstructed channel, pipe through dam, siphon, weir, gate, etc.)
- b. Diversion will be by pumping from: Offset Well
(sump, offset well, channel, reservoir, etc.)
- Pump discharge rate: 72,000 ☐ cfs or ☒ gpd Horsepower: _____ Pump Efficiency: _____

c. Conduit from diversion point to first lateral or to offstream storage reservoir:

CONDUIT (pipe or channel)	MATERIAL (type of pipe or channel lining; indicate if pipe is buried or not)	CROSS-SECTION (pipe diameter, or ditch depth and top and bottom width) (inches or feet)	LENGTH (feet)	TOTAL LIFT OR FALL		CAPACITY (cfs, gpd or gpm)
				feet	+ or -	
Pipe	Ductile Iron	4"	2,200'	300'		72,000 gdp

☐ See Attachment No. _____

d. Storage reservoirs: (For underground storage, complete and attach form APP-UGSTOR)

RESERVOIR NAME OR NUMBER	DAM				RESERVOIR		
	Vertical height from downstream toe of slope to spillway level (feet)	Construction material	Length (feet)	Freeboard: dam height above spillway crest (feet)	Surface area when full (acres)	Capacity (acre-feet)	Maximum water depth (feet)
Arena Pond 2'	2'	Concrete	20'	4'	1.5	6.3	12'

☐ See Attachment No. _____

e. Outlet pipe: Complete for storage reservoirs having a capacity of 10 acre-feet or more.

RESERVOIR NAME OR NUMBER	OUTLET PIPE				
	Diameter (inches)	Length (feet)	Fall: vertical distance between entrance and exit of outlet pipe (feet)	Head: vertical distance from spill- way to entrance of outlet pipe (feet)	Dead Storage: storage below entrance of outlet pipe (acre-feet)

☐ See Attachment No. _____

- f. If water will be stored and the reservoir is not at the point of diversion, the maximum rate of diversion to offstream storage will be 72,000gpd cfs. Diversion to offstream storage will be made by: ☒ Pumping ☐ Gravity

3. CONSERVATION AND MONITORING

- a. What methods will you use to conserve water? Explain. Low flow fixtures, drip irrigation, regular metering

- b. How will you monitor your diversion to be sure you are within the limits of your water right and you are not wasting water? ☐ Weir ☒ Meter ☐ Periodic sampling ☐ Other (describe) _____

4. RIGHT OF ACCESS

- a. Does the applicant own all the land where the water will be diverted, transported and used? ☐ YES ☒ NO
If NO, I ☒ do ☐ do not have a recorded easement or written authorization allowing me access.
- b. List the names and mailing addresses of all affected landowners and state what steps are being taken to obtain access: See Attachment #3

☒ See Attachment No. 3

5. EXISTING WATER RIGHTS AND RELATED FILINGS

- a. Do you claim an existing right for the use of all or part of the water sought by this application? ☒ YES ☐ NO
If YES, please specify: ☐ Riparian ☐ Pre-1914 ☐ Registration ☐ Permit ☐ License
☐ Percolating groundwater ☐ Adjudicated ☒ Other (specify) WRO 2003-0014 (See Attachment #1)
- b. For each existing right claimed, state the source, year of first use, purpose, season and location of the point of diversion (to within quarter-quarter section). Include number of registration, permit, license, or statement of

water diversion and use, if applicable. WRO 2003-0014 (See Attachment #1)

- c. List any related applications, registrations, permits, or licenses located in the proposed place of use or that utilize the same point(s) of diversion? _____

☐ See Attachment No. _____

6. OTHER SOURCES OF WATER

Are you presently using, or do you intend to use, purchased water or water supplied by contract in connection with this project? ☐ Yes ☒ No If yes, please explain: _____

7. MAP REQUIREMENTS

The Division cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section and quarter/quarter section of (1) the proposed points of diversion and (2) the place of use. A copy of a U.S.G.S. quadrangle/topographic map of your project area is preferred, and can be obtained from sporting goods stores or through the Internet at <http://topomaps.usgs.gov>. A certified engineering map is required when (1) appropriating more than three cfs by direct diversion, (2) constructing a dam which will be under the jurisdiction of the Division of Safety of Dams, (3) creating a reservoir with a surface area in excess of ten acres or (4) appropriating more than 1000 acre-feet per annum by underground storage. See the instruction booklet for more information.

☒ See Attachment No. 4

SECTION C: ENVIRONMENTAL INFORMATION

Note: Before a water right permit may be issued for your project, the State Water Resources Control Board (SWRCB) must consider the information contained in an environmental document prepared in compliance with the California Environmental Quality Act (CEQA). This form is not a CEQA document. If a CEQA document has not yet been prepared for your project, a determination must be made of who is responsible for its preparation. If the SWRCB is determined to be responsible for preparing the CEQA document, the applicant will be required to pay all costs associated with the environmental evaluation and preparation of the required documents. Please answer the following questions to the best of your ability and submit with this application any studies that have been conducted regarding the environmental evaluation of your project.

1. COUNTY PERMITS

- a. Contact your county planning or public works department and provide the following information:

Person contacted: Lynne Mounday Date of contact: 4/10/06
Department: County Planning Department Telephone: (831) 755-5197
County Zoning Designation: Rural Density Residential (RDR) and Visitor Accommodations/Professional Offices (VO)
Are any county permits required for your project? ☐ YES ☒ NO If YES, check appropriate box below:
☐ Grading permit ☐ Use permit ☐ Watercourse ☐ Obstruction permit ☐ Change of zoning
☐ General plan change ☐ Other (explain): _____

- b. Have you obtained any of the required permits described above? ☐ YES ☐ NO N/A

If YES, provide a complete copy of each permit obtained.

☐ See Attachment No. _____

2. STATE/FEDERAL PERMITS AND REQUIREMENTS

- a. Check any additional state or federal permits required for your project: N/A

☐ Federal Energy Regulatory Commission ☐ U.S. Forest Service ☐ U.S. Bureau of Land Management
☐ U.S. Corps of Engineers ☐ U.S. Natural Res. Conservation Service ☐ Calif. Dept. of Fish and Game
☐ State Lands Commission ☐ Calif. Dept. of Water Resources (Div. of Safety of Dams)
☐ Calif. Coastal Commission ☐ State Reclamation Board ☐ Other (specify) _____

- b. For each agency from which a permit is required, provide the following information:

AGENCY	PERMIT TYPE	PERSON(S) CONTACTED	CONTACT DATE	TELEPHONE NO.
N/A				

☐ See Attachment No. _____

- c. Does your proposed project involve any construction or grading-related activity that has significantly altered or would significantly alter the bed, bank, or riparian habitat of any stream or lake? ☐ YES ☒ NO
If YES, explain: _____

☐ See Attachment No. _____

- d. Have you contacted the California Department of Fish and Game concerning your project? ☐ YES ☒ NO
If YES, name and telephone number of contact: _____

3. ENVIRONMENTAL DOCUMENTS

- a. Has any California public agency prepared an environmental document for your project? ☐ YES ☒ NO
c. If YES, submit a copy of the latest environmental document(s) prepared, including a copy of the notice of determination adopted by the California public agency. Public agency: _____
d. If NO, check the appropriate box and explain below, if necessary:
☐ The applicant is a California public agency and will be preparing the environmental document.*
☒ I expect that the SWRCB will be preparing the environmental document.**
☐ I expect that a California public agency other than the State Water Resources Control Board will be preparing the environmental document.* Public agency: _____
☐ See Attachment No. _____

* **Note:** When completed, submit a copy of the final environmental document (including notice of determination) or notice of exemption to the SWRCB, Division of Water Rights. Processing of your application cannot proceed until these documents are submitted.

** **Note:** CEQA requires that the SWRCB, as Lead Agency, prepare the environmental document. The information contained in the environmental document must be developed by the applicant and at the applicant's expense under the direction of the SWRCB, Division of Water Rights.

4. WASTE/WASTEWATER

- a. Will your project, during construction or operation, (1) generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or (2) cause erosion, turbidity or sedimentation?
☐ YES ☒ NO
If YES, or you are unsure of your answer, explain below and contact your local Regional Water Quality Control Board for the following information (See instruction booklet for address and telephone no.):

☐ See Attachment No. _____

- b. Will a waste discharge permit be required for your project? ☐ YES ☒ NO
Person contacted: _____ Date of contact: _____
c. What method of treatment and disposal will be used? Natural Recharge and Septic Percolation

☐ See Attachment No. _____

5. ARCHEOLOGY

- a. Have any archeological reports been prepared on this project? ☒ YES ☐ NO
b. Will you be preparing an archeological report to satisfy another public agency? ☐ YES ☒ NO
c. Do you know of any archeological or historic sites located within the general project area? ☒ YES ☐ NO
If YES, explain: Use of the existing water system will not disturb any known archaeological resources. See Attachment #5: 2006 Archaeological Report

☒ See Attachment No. 5

6. ENVIRONMENTAL SETTING

Attach three complete sets of color photographs, clearly dated and labeled, showing the vegetation that exists at the following three locations:

- ☒ Along the stream channel immediately downstream from the proposed point(s) of diversion.
☒ Along the stream channel immediately upstream from the proposed point(s) of diversion.
☒ At the place(s) where the water is to be used.

☒ See Attachment No. 6

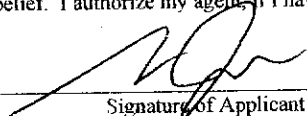
SECTION D: SUBMITTAL FEES

Calculate your application filing fee using the "Water Right Fee Schedule Summary" that was enclosed in the application packet. The "Water Right Fee Schedule Summary" can also be viewed at the Division of Water Rights' website (www.waterrights.ca.gov).

A check for the application filing fee, payable to the "Division of Water Rights" and an \$850 check for the environmental review fee, payable to the "California Department of Fish and Game," must accompany this application. All applicable fees are required at the time of filing. Your application will be returned to you if it is not accompanied by all required fees.

SECTION E: DECLARATION AND SIGNATURE

I declare under penalty of perjury that all information provided is true and correct to the best of my knowledge and belief. I authorize my agent, if I have designated one above, to act on my behalf regarding this water right application.

 _____
Signature of Applicant Attorney for Holman Ranch Holdings, LLC 11/19/2007
Title or Relationship Date

Signature of Co-Applicant (if any) Title or Relationship Date



"APPLICATION TO APPROPRIATE WATER" CHECKLIST

Before you submit your application, be sure to:

- ☐ Answer each question completely in Sections A, B, and C.
- ☐ Number and include all necessary attachments.
- ☐ Include a legible map that meets the requirements discussed in the instruction booklet (Item B6).
- ☐ Include the Water Availability Analysis or sufficient information to demonstrate that there is reasonable likelihood that unappropriated water is available for the proposed appropriation (Item A6).
- ☐ Include three complete sets of color photographs of the project site (Item C6).
- ☐ Enclose a check for the required fee, payable to the Division of Water Rights, as specified in Section D.
- ☐ Enclose a \$850 check for the environmental review fee, payable to the Department of Fish and Game, as specified in Section D.
- ☐ Sign and date the application in Section E.

Send the original and one copy of the entire application to:

State Water Resources Control Board
Division of Water Rights
P.O. Box 2000
Sacramento, CA 95812-2000

Holman Ranch Application to Appropriate Water Attachment #3 Right of Access

The Holman Ranch is benefitted by recorded and insured easements which allow it to convey water from its well parcel to the Holman Ranch proper. Enclosed are the ALTA survey which was prepared for the Holman Ranch by Roger Peterson of Rassmussen Land Surveying. This survey details the easements which provide the Holman Ranch with rights of way to convey water from the Well Parcel to the Holman Ranch proper.

LAURENCE P. HORAN
FRANCIS P. LLOYD
ANTHONY T. KARACHALE
STEPHEN W. DYER
GARY D. SCHWARTZ
MARK A. BLUM
MARK A. O'CONNOR
ROBERT E. ARNOLD III
ELIZABETH C. GIANOLA
AENGUS L. JEFFERS
PAMELA H. SILKWOOD
MICHAEL P. BURNS
MARY E. CAIN

LAW OFFICES OF
**HORAN, LLOYD, KARACHALE, DYER, SCHWARTZ,
LAW & COOK**
INCORPORATED

P.O. BOX 3350, MONTEREY, CALIFORNIA 93942-3350

JAMES J. COOK
DENNIS M. LAW

TELEPHONE: (831) 373-4131
FROM SALINAS: (831) 757-4131
FACSIMILE: (831) 373-8302

February 8, 2007

OUR FILE NO. 5436.04

VIA REGULAR MAIL

Jennifer Dick-McFadden
State Water Resources Control Board
Division of Water Rights
Post Office Box 2000
Sacramento, California 95812-2000

Re: Supplemental Project Description

Dear Jennifer:

As requested, I have prepared the following supplemental project description. The original Project Description was drafted to highlight that the appropriation of water from the Carmel River Alluvial Aquifer to serve the Holman Ranch ("Ranch") is an existing use dating back to the 1920's. Moreover, pursuant to the State Water Resources Control Board's ("SWRCB") Order WRO 2003-0014, water systems such as the Ranch are entitled to be included within Decision 1632's Table 13 list of priority appropriative water rights applications following the submission of a complete application. At your request, the following Supplemental Project Description focuses on the infrastructure for the Ranch's water system.

For reference, I have attached a revised Water System Map for the Holman Ranch. This map provides more detail than the Water System Map included in the original application submission. I have included extra copies in case you wish to replace the original map with the revised map.

Well Parcel

The Well Parcel is located near the Carmel River. Half of the Well Parcel is located on the top of a bluff at about the same topographic level as Carmel Valley Road. The well servicing the Ranch is located on the lower half of the parcel which overlies the alluvial flood plain of the Carmel River. The well itself is offset from the Carmel River by approximately 1,000 feet. Water from the well is pumped to a booster pump located at the top of the bluff.

Pipeline between Well Parcel and Water Tanks

A pipeline conveys the well water from the booster pump to the water tanks located near the southern boarder of Ranch. This pipeline is approximately 2,200 feet in length and constructed of 4 inch ductile iron. The pipeline is located within an existing easement. This easement is described in the ALTA survey provided with the Application.

Jennifer Dick-McFadden
SWRCB Division of Water Rights
February 8, 2007
Page 2

Water Tanks

The Water Tanks have a storage capacity of approximately 30,000 gallons. From the Water Tanks several separate pipelines divert water to the Hacienda Complex, the Ranch Equestrian Center and the Arena Pond ("Irrigation Pond").

Hacienda Complex

The Hacienda Complex of the Ranch includes the Ranch's residential apartments, business office, special events facilities, gardens, vineyards and wine processing facilities.

Equestrian Center

The Equestrian Center includes barns for boarding horses, an indoor riding arena, an outdoor riding arena, an outdoor jumping arena, and offices to manage the equestrian business. The Equestrian Center maintains about 15 of its own horses for trail and ranch use. Additionally, the Ranch boards approximately 100 show horses.

Arena Pond

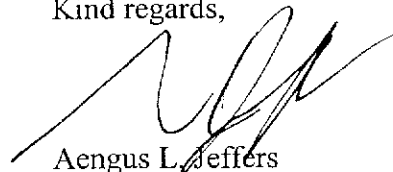
The Arena Pond provides approximately 6.3 acre feet of off-site storage. The Arena Pond provides water for irrigating the Ranch's pasturage and vineyard. Water from the Arena Pond is also used for dust control in the equestrian arenas and along the Ranch's access roads.

Diversions:

Water is diverted from the Well Parcel year round to supply the Ranch's water demand for domestic uses, gardening, vineyard and pasturage irrigation, special events, wine processing, and the Equestrian Center. From October 16 to April 14 surplus water is collected and stored in the Arena Pond to supplement non-potable demand during the dry season from April 15 to October 15.

I hope this letter clarifies any questions regarding the Ranch's existing water system. In the event you have further questions or comments please do not hesitate to contact me.

Kind regards,



Aengus L. Jeffers

ALJ:ec

LAURENCE P. HORAN
FRANCIS P. LLOYD
ANTHONY T. KARACHALE
STEPHEN W. DYER
GARY D. SCHWARTZ
MARK A. BLUM
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LAW OFFICES OF
HORAN, LLOYD, KARACHALE, DYER, SCHWARTZ,
LAW & COOK
INCORPORATED

P.O. BOX 3350, MONTEREY, CALIFORNIA 93942-3350

JAMES J. COOK
DENNIS M. LAW

TELEPHONE: (831) 373-4131
FROM SALINAS: (831) 757-4131
FACSIMILE: (831) 373-8302

January 19, 2007

OUR FILE NO. 5436.04

VIA FEDERAL EXPRESS

ATTN: Katherine Mrowka
California State Water Resources Control Board
Division of Water Rights
1001 I Street
Sacramento, California 95814

Re: Holman Ranch Application to Appropriate Water (Attachment 1)

Dear Ms. Mrowka:

This Application to Appropriate Water ("Application") seeks an appropriative water permit to serve the Holman Ranch ("Ranch") and its existing domestic, equestrian, vineyard, and special event uses (weddings, overnight guests, community events and business meetings).

The owner of the Ranch, Holman Ranch Holdings, LLC. (Thomas H. Lowder as managing member), requests that Table 13 of Decision 1632 be amended pursuant to Order WRO 2003-0014 ("WRO 2003") (attached hereto as exhibit "A"). WRO 2003 provides that existing users of the Carmel River subterranean stream who diverted water prior to 1995 and who were not previously notified concerning the establishment of Table 13 shall have the opportunity to be included in Table 13 for their established water use. By filing this Application, the Ranch desires to be added to Table 13 and have the Application processed along with the other Table 13 historical water users.

The remainder of this letter will describe the history of the Ranch and its pre-1995 water use.

Holman Ranch History

The Holman Ranch is located in Carmel Valley, Monterey County on 392 acres of what was once the Los Laureles Rancho, a Mexican land grant comprising 6,625 acres. The Los Laureles Rancho was granted to Jose Manuel Boronda and Vicente Blas Martinez on September 19, 1839. In 1851, Jose Manuel Boronda purchased Vicente Blas Martinez's one half interest. The Los Laureles Rancho was subsequently patented in 1866 to Jose Manuel Boronda and his eldest son, Juan de Mata Boronda.

In 1882, the entire rancho was purchased by the Pacific Improvement Company, the real estate holding and development arm of the Southern Pacific Railroad and at the time one of the largest corporations in the American West. The Pacific Improvement Company turned the rancho

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into a dairy operation to supply the company's Hotel Del Monte in Monterey. The rancho was later renamed the "Rancho Del Monte" and became the hotel's "out camp" for guests. In 1921, the Pacific Improvement Company subdivided the rancho into 11 parcels, including the parcel which would later become known as the Holman Ranch.

At the time of the 1921 subdivision, Gordon Seaverns Armsby, a San Francisco business man, bought the parcel which would become the Holman Ranch. Legend has it that the saleswoman for the Pacific Improvement Company took Mr. Armsby blindfolded and on horseback up to the property and that Mr. Armsby's first word after the blindfold was removed was, "Sold". Mr. Armsby's father was the founder of the J. K. Armsby & Company of Chicago and San Francisco, the largest grocery and produce shipping firm in the United States during the late 19th century. The firm was closely associated with the rise of the California nut, canned, and dried fruit industries and was a major packer for Sunkist.

In 1926, Mr. Armsby commissioned Clarence A. Tantau to design a summer retreat for the property he purchased. The summer retreat completed by Mr. Tantau would later be known as the Hacienda and was critically acclaimed at the time of its completion. It won an award for its design in the 1931 Better Homes in America Architectural Competition and was featured in the May 1930 and April 1931 issues of Architect and Engineer, leading California magazines for the architectural profession. Shortly after completion of the Hacienda, Mr. Tantau also designed the Ranch's swimming pool and pool house.

Mr. Tantau is historically known for other important commissions in California which include the Lodge at Pebble Beach, the 1924 reconstruction of the Hotel Del Monte and the Monterey Peninsula Country Club. Mr. Tantau is recognized for his Spanish revival style which he applied frequently in both residential and commercial designs.

Mr. Armsby owned the Holman Ranch through the 30's and into the early 40's. However, during the hard times of the Great Depression, he all but abandoned the property later to become known as the Holman Ranch.

Clarence E. Holman, son of the founder of Holman's Department Store in Pacific Grove, purchased the 392 acres from Mr. Armsby in 1942. The following year, the Holmans moved into the Hacienda and converted the property into "Holman's Guest Ranch". Among the more notable names associated with the Ranch were June Allyson, Charlie Chaplin, Clark Gable, Vincent Price, Marlon Brando, and Jean Autry.

The Holman's continued to raise cattle on the Ranch and also planted row crops. The Holman's raised most of the vegetables, fruit, butter, eggs, meats, cottage cheese, and cream served to their guests. The Ranch also provided the only rodeo arena in Carmel Valley. The Carmel Valley Horseman's Association hosted events at the arena for many years. Cattle from all over Carmel

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Valley were also collected in the arena and driven in one gigantic herd to market in Salinas. Should it be of interest, I have included some of the Ranch's historical marketing materials in Exhibit "B", attached hereto.

Clarence Holman operated the Ranch until his death on July 3, 1962 at age 84. His wife, Vivian Holman took over the Ranch and lived the remainder of her life at the Ranch. Vivian Holman died on June 21, 1981 after suffering a heart attack.

After Vivian Holman's death, the Ranch was operated by the trust department of Wells Fargo Bank in Carmel on behalf of the twenty six heirs of Clarence E. Holman. In 1989, Dorothy McEwen, an advocate of historic preservation and the first president of the Pacific Grove History Society, sold her Cypress Stables on Jack's Peak in Monterey to preserve the Holman Ranch.

Dorothy McEwen passed away on January 31, 2005 at the Ranch. The Ranch was subsequently sold to Holman Ranch Holdings, LLC. on June 30, 2006. Holman Ranch Holdings, LLC. is managed by Thomas H. Lowder. Mr. Lowder and his family acquired the Holman Ranch with the intention of continuing the Ranch's heritage.

Water Use History

For the water year ending in 1994, the Ranch recorded total water usage of 32.37 acre feet from its well located adjacent to the Carmel River. This amount is consistent with recorded water use for years with similar rainfall conditions. Attached hereto as Exhibit "C" is a summary of the Holman Ranch's water use from 1992 to 2005 prepared by the Monterey Peninsula Water Management District ("Water District").

Holman Ranch Holdings, LLC. has no water use records for the Ranch prior to 1992. Based on historical correspondence from the Water District requesting compliance with its annual water meter monitoring requirements, it does not appear that the Ranch maintained any such records prior to 1992. The letters from the Water District are also included in Exhibit "C".

Should you have any questions, comments or require any further documentation regarding the matters described in this letter or the Application please do not hesitate to contact me.

Kind regards,



Aengus L. Jeffers, Esq.

HISTORICAL WATER PRODUCTION REPORTED FOR HOLAMAN RANCH WELLS

all values in acre-feet (AF)

	189-541-003 Main Well	187-481-001 Pasture Well	Total AF/year
Reporting Year 1992	17.78	0.00	17.78
Reporting Year 1993	19.08	0.00	19.08
Reporting Year 1994	32.37	0.00	32.37
Reporting Year 1995	11.79	0.00	11.79
Reporting Year 1996	28.43	2.13	30.56
Reporting Year 1997	32.90	0.49	33.39
Reporting Year 1998	15.15	0.21	15.36
Reporting Year 1999	23.23	1.23	24.46
Reporting Year 2000	32.81	0.22	33.03
Reporting Year 2001	22.82	0.56	23.38
Water Year 2002	29.92	0.74	30.66
Water Year 2003	22.64	0.18	22.82
Water Year 2004	21.73	0.16	21.89
Water Year 2005	18.21	0.03	18.34
14 Years Average:			23.92

Reporting Years run from July 1 through June 30, but the District changed the reporting period to a "Water Year" in 2002, running from October 1 through September 30. In Reporting Year 2001, reports were received for the period from July 1, 2000 through September 30, 2001. Those reports were then adjusted by applying monthly "non-Cal-Am demand factors" to the total. The actual reported production for the extended period (before adjustments) was 36.80 and 0.90 acre-feet.

The amount that was subtracted for the extended report in Reporting Year 2001 was not accounted for in Water Year 2002, and therefore, an adjusted total and average is calculated below.

A new water meter was installed on Main Well on July 12, 1994.

			37.7	14.32
			14.326	
			23.374	
Reporting Year <u>2001</u>	<u>36.8</u>	<u>0.90</u>	<u>37.70</u>	
	11,992,000 gals.	292,610 gals.		

Holman Ranch Water Budget for Appropriative Permit

Category of Water Use	Total Units	Type of Units	Coefficient of Use	Coefficient Def'n	Yearly Water Use (gallons)	Yearly Water Use (AFA)
Domestic						
Personal Consumption	30	residents / employees	75 gpd	30 gallons x 150	821250.0	2.5
Special Events	70	events	4500 guests		315000.0	1.0
Trail Horses	15	horses	15 gpd		82125.0	0.3
Dust Control	0	sq. ft.	7.5 gpd/100 sq. ft.		0.0	0.0
Lawns/Gardens	20000	sq. ft.	10 gpd/100 sq. ft.		300000.0	0.9
Pool	500	sq. ft.	0.01 AFA/100 sq. ft.		16292.6	0.1
Stockwatering						
Show Horses	80	horses	25 gpd		730000.0	2.2
Visitors	20	visitors	20 gpd		146000.0	0.4
Cattle	0	cows	15 gpd		0.0	0.0
Commercial						
Wine Processing	5000	cases	14 gallons / case		70000.0	0.2
Irrigation						
Landscaping	20000	sq. ft.	10 gpd/100 sq. ft.		300000.0	0.9
Pastures	4.6	acres	0.7 AFA/acre		1049240.2	3.2
Vines	28	acres	0.7 AFA/acre		6386679.6	19.6
Frost Protection						
Vines	28	acres	0.03 AFA/acre		273714.8	0.8
Total					10216587.4	32.19

Holman Ranch Application to Appropriate Water Attachment #2

PLACE OF USE

Use is Within (40-acre subdivision)	Section	Township	Range	Base & Meridian	If Irrigated	
					Acres	Presently Cultivated?
NW 1/4 of SE 1/4	2	17 S	2 E	Mount Diablo	1.5	YES (1 acre vines, 1 acre lawns & garden)
SW 1/4 of NE 1/4	2	17 S	2 E	Mount Diablo	11.6	YES (4.6 pasturage) NO (7 acres of vines)
NE 1/4 of NE 1/4	2	17 S	2 E	Mount Diablo	8	NO
NW 1/4 of NE 1/4	2	17 S	2 E	Mount Diablo	8	NO
SE 1/4 of SE 1/4	35	16 S	2 E	Mount Diablo	2	NO
SW 1/4 of SE 1/4	35	16 S	2 E	Mount Diablo	2	NO
Total:					33.1	